

REMARKS/ARGUMENTS

Claims 1-22 remain in the application, all of which stand rejected.

1. Rejection of Claims 1-7 and 19-21 Under 35 USC 102(e)

Claims 1-7 and 19-21 stand rejected under 35 USC 102(e) as being anticipated by Modzelesky et al. (U.S. Pat. No. 5,842,125; hereinafter "Modzelesky").

With respect to Applicant's claim 1, the Examiner asserts that Modzelesky teaches Applicant's invention in col. 1, lines 25-33, and in col. 9, line 34 – col. 10, line 23. Applicant disagrees.

In col. 1, lines 25-33, Modzelesky discloses a Network Control System (NCS). As stated by Modzelesky, the principal function of the NCS is to:

...manage the overall satellite network system, to manage access to the satellite network system, to assign satellite circuits to meet the requirements of mobile customers and to provide network management and network administrative and call accounting functions.

Modzelesky, col. 1, lines 29-33.

Nothing in this excerpt indicates that Modzelesky's NCS manages the devices of the mobile customers that access the network (i.e., the "devices on the network"). Rather, Modzelesky only states that the network itself is managed, and that "access to" the network is managed. Furthermore, even if one were to interpret the above excerpt as indicating that Modzelesky manages "devices on a network", there is no mention by Modzelesky of "translating [a] device interface to conform with [a] standard interface", and then "managing [a] number of devices according to [the] standard interface". The Examiner, however, asserts that this is taught in Modzelesky's columns 9 & 10. Again, Applicant disagrees.

In col. 9, lines 44-45, Modzelesky discloses an "interface unit that includes standard user interfaces". Note, however, that Modzelesky teaches plural standard user interfaces. This is quite different from a single "standard user interface" to which

a device's own interface (which may be standard in some respects) has been translated. Modzelesky further states:

The user interface subsystem provides the user interfaces through which the user has access to the services supported by the satellite network system. Depending on the service(s) the MET will be equipped with one or more of the devices or ports. The transceiver subsystem consists of a receiver and a transmitter. The transmitter accepts voice, data, fax and signaling signals and converts them to a modulated RF signal. The transmit RF signal is routed to the antenna subsystem.

Modzelesky, col. 9, line 61 – col. 10, line 2.

Note that Modzelesky's conversion of "voice, data, fax and signaling signals" to "modulated RF signals" is not undertaken for the purpose of managing the devices that generate the voice, data, fax and signaling signals, but rather for the purpose of transmitting the signals over a satellite network. Furthermore, Applicant does not see that Modzelesky translates any device interface to conform with a standard interface. While modulating a signal for the purpose of transmitting it across a network may alter the signal (or, as Modzelesky says, "convert" the signal), modulation is typically undertaken without any knowledge of the underlying data that is being modulated. This being the case, signal modulation would only provide a standardized way to transmit data across a network (without specifically knowing what the data is), but would not provide a "standard interface" through which devices on a network could be managed.

Applicant's claim 1 is believed to be allowable for at least the above reasons. At a minimum, Applicant's claims 2-7 and 19-21 are believed to be allowable because they depend from claim 1, or for reasons similar to why claim 1 is believed to be allowable. With respect to the Examiner's detailed rejections of the claims that depend from claim 1, Applicant notes that the Examiner has located words and phrases from Applicant's claims in Modzelesky's disclosure. However, in most cases, the words or phrases are used in different contexts. In general, Modzelesky's teachings are directed to management of a satellite communication system, and not to management of the particular devices (e.g., fax terminals and phones) on the network.

On a final note, Applicant notes the Examiner's following admission, which appears on page 5 of the Examiner's Office Action (following the Examiner's 35 USC 103(a) rejection of claims 9-18 and 22):

However Modzelesky does not explicitly detail c) interface is nonconforming, and program code for managing said number of devices according to said standard interface.

Although the above admission is made with respect to Applicant's claim 9, it would seem to indicate that similar functionality recited in Applicant's claim 1 is also missing from Modzelesky's teachings (which is contrary to the Examiner's position in rejecting claims 1-7 and 19-21 under 35 USC 102(e)).

2. Rejection of Claims 9-18 and 22 Under 35 USC 103(a)

Claims 9-18 and 22 stand rejected under 35 USC 103(a) as being unpatentable over Modzelesky et al. (U.S. Pat. No. 5,842,125; hereinafter "Modzelesky") in view of Aditham et al. (U.S. Pat. No. 6,192,419; hereinafter "Aditham").

With respect to Applicant's claim 9, the Examiner asserts that Modzelesky teaches Applicant's claimed invention, but for "...interface is nonconforming, and program code for managing said number of devices according to said standard interface." However, the Examiner asserts that Aditham teaches this in col. 4, lines 33-51. Applicant disagrees. What Aditham states is that "programs 12-1 to 12-N do not necessarily utilize the same internal information formats for managing data. . . For the two programs 12-1 and 12-2 to communicate. . . , the first program output must converted [sic] to an [sic] format that is compatible with the input format of the second program." See col. 4, lines 34-42. Thus, there is no translation of device interfaces to a standard interface so that devices can be managed through the standard interfaces. Rather, Aditham merely converts data as it is transmitted from one application program to another. Although Aditham discloses a "collaborative manager" for aiding the data conversion process, the collaborative manager does not

appear to manage the application programs; it only provides a way to convert the data it receives from the programs. Aditham therefore fails to disclose what the Examiner admits is missing from Modzelesky, and Applicant's claim 9 is believed to be allowable at least for this reason (as well as for reasons similar to those presented with respect to claim 1, *supra*). At a minimum, Applicant's claims 10-18 and 22 are believed to be allowable because they depend from claim 9, or for reasons similar to why claim 9 is believed to be allowable.

3. Rejection of Claims 8 and 22 Under 35 USC 103(a)

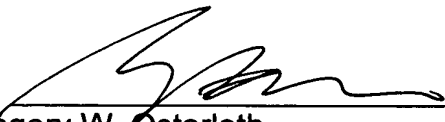
Claims 8 and 22 stand rejected under 35 USC 103(a) as being unpatentable over Modzelesky et al. (U.S. Pat. No. 5,842,125; hereinafter "Modzelesky") in view of Lundquist et al. (U.S. Pat. No. 5,852,660; hereinafter "Lindquist").

With respect to Applicant's claim 8, the Examiner asserts that Modzelesky teaches Applicant's claimed invention, but for the additional limitations set forth in claim 8. However, the Examiner asserts that Lindquist teaches these limitations in col. 6, line 64 – col. 7, and that it would have been obvious to combine Lindquist's teachings with Modzelesky's because it was well-known at the time of the invention to convert telecommunications between two incompatible systems using a converter module. Yet, Applicant's claim 8 is not directed to a method for transmitting data between two devices. Rather, Applicant's claim 8 is directed to a method that translates nonconforming device interfaces to a standard interface so that the devices themselves can be managed via the standard interface. There is no mention in Applicant's claim of what happens if one device wants to transmit data across the network to another device. Claim 8 is therefore believed to be allowable in that Lindquist fails to disclose those features missing from Modzelesky, as discussed with respect to claim 1 (i.e., claim 8's parent claim) above. Claim 22 is believed to be allowable for similar reasons.

4. Conclusion

Given the above Remarks, Applicant respectfully requests the timely issuance of a Notice of Allowance.

Respectfully submitted,
DAHL & OSTERLOTH, L.L.P.

By: 
Gregory W. Osterloth
Reg. No. 36,232
Tel: (303) 291-3200